

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC-SDNY
DOCUMENT
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DATE FILED: 5/2/2023

SABRINA CALDERON,

Plaintiff,

v.

326 MOBILE OF NJ INCORPORATED, and
ISAAC MARASHLI,

Defendants.

No. 22-CV-10401 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

Plaintiff filed a pre-Answer notice that she was voluntarily dismissing this action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). *See* Dkt. 5. Because there is no indication that the parties entered into a settlement agreement which may later be enforceable, and because Plaintiff here voluntarily dismissed her claims without prejudice prior to Defendants' Answer, this is not a case wherein the parties are attempting "an end-run around the protections for workers provided in *Cheeks*." *King v. Fedcap Rehab. Servs., Inc.*, 2021 WL 1725703, at *1 (S.D.N.Y. Mar. 4, 2021); *see also Seck v. Dipna Rx., Inc.*, 2017 WL 1906887 (S.D.N.Y. May 8, 2017). The Court therefore so orders the Plaintiff's voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), and the Clerk of Court is respectfully directed to close this action.

SO ORDERED.

Dated: May 2, 2023
New York, New York



Hon. Ronnie Abrams
United States District Judge